

for supposing that the release from Mrs. McClellan to her father was procured by any undue influence exerted by him towards her. He ceased to be her guardian on the 29th of June, 1825, and the release was not executed until the 12th of March, 1834, nearly nine years afterwards; he in the interval having been indicted and convicted for having unlawfully married his stepdaughter, Miss Bedford. The release, therefore, though gratuitous, must be assumed to have been freely and voluntarily made, with full knowledge of all the circumstances, and a total exemption from any influence which could affect its validity.

In the case of *Fridge vs. The State*, 3 G. & J., 104, it was decided that a female under the age of twenty-one cannot execute a release to her guardian, though she has capacity to receive payments from him at the age of sixteen; and the release in that case, which was executed on the 15th of July, 1824, and which the Court declared was manifestly prejudicial to the infant, was adjudged to be void. But since then the legislature has interposed, and by the 7th section of the Act of 1829, ch. 216, the releases of females of the age of eighteen years to their guardians, or to any executor, or administrator, are placed upon the same footing precisely as if such females were of the full age of twenty-one years. The language of the section is, "that from and after the passage of this Act, any receipt, acquittance, release, or final discharge, which shall be executed before the Orphans Court of the county where the estate shall have been settled, by a female of the age of eighteen years, to any guardian, executor, or administrator, shall have the same effect and operation in law in every respect, and to all intents and purposes, as if such female were of the full age of twenty-one." And by the provisions of the Act of 1831, ch. 305, similar releases, executed by females of the age of eighteen years, and acknowledged before a justice of the peace, are declared to have the same effect as if acknowledged before the Orphans Court. The release of the present Mrs. McClellan, to the former guardian Mitchell, was executed and acknowledged, in all respects, in conformity with the requirements of